

**To:** Echeverria, Marietta[Echeverria.Marietta@epa.gov]  
**From:** Pease, Anita  
**Sent:** Fri 4/21/2017 10:58:28 AM  
**Subject:** Re: CLA Letters re BEs: Issue Paper Needed

I know he had a busy day yesterday but he did say he would get me something by COB, given that he is compressed today. At a minimum, I think he should

**Ex. 5 - Deliberative Process**

Ex. 5 - Deliberative Process

Sent from my iPhone

On Apr 21, 2017, at 6:48 AM, Echeverria, Marietta <Echeverria.Marietta@epa.gov> wrote:

Should I call him on it?

Sent from my iPhone

On Apr 21, 2017, at 6:47 AM, Pease, Anita <Pease.Anita@epa.gov> wrote:

Yes, that was my understanding based on the discussion we had after the ESA call with the Services.

Sent from my iPhone

On Apr 21, 2017, at 6:41 AM, Echeverria, Marietta <Echeverria.Marietta@epa.gov> wrote:

Didn't he say he would?

Sent from my iPhone

On Apr 21, 2017, at 6:41 AM, Pease, Anita <Pease.Anita@epa.gov> wrote:

No. I can work on his today.

Sent from my iPhone

On Apr 21, 2017, at 6:39 AM, Echeverria, Marietta <Echeverria.Marietta@epa.gov> wrote:

Did Phil get you a draft?

Sent from my iPhone

Begin forwarded message:

**From:** "Keigwin, Richard" <Keigwin.Richard@epa.gov>  
**Date:** April 21, 2017 at 6:28:07 AM EDT  
**To:** "Echeverria, Marietta" <Echeverria.Marietta@epa.gov>, "Pease, Anita" <Pease.Anita@epa.gov>, "Nesci, Kimberly" <Nesci.Kimberly@epa.gov>  
**Subject:** CLA Letters re BEs: Issue Paper Needed

We need to develop a short (no more than 2 page) issue paper for the Administrator that discusses **Ex. 5 - Deliberative Process** and a recommended path forward.

Once I can log into my computer, I'll send you the recommended format.

I need to get a draft to Wendy for her review by early next week.

Below is the paragraph that Wendy included in her "Thursday Note" to the Administrator.

### **Registrants Request That Pesticide Biological Evaluations Be Withdrawn**

Dow AgroScience, LLC; Makhteshim Agan of North America, Inc.; and FMC Corporation sent letters (4/13/2017) to EPA, U.S. Fish and Wildlife Service and the National Marine Fisheries Service requesting that the chlorpyrifos, diazinon and malathion BEs be withdrawn from the services, and that the services stop work on their Biological Opinions. They claim that the interim approaches used in the BEs to analyze nation-wide effects on endangered species are flawed. OCSPP had anticipated releasing draft BEs for carbaryl and methomyl on April 18, 2017 for public comment. The services are subject to a settlement agreement deadline to issue biological opinions on these pesticides by December 31, 2017. Next Step: **Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

Rick Keigwin  
Acting Director, Office of Pesticide Programs  
U.S. Environmental Protection Agency

Sent from my iPhone

Begin forwarded message:

**From:** "Cleland-Hamnett, Wendy" <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>  
**Date:** April 20, 2017 at 7:24:10 PM EDT  
**To:** "Keigwin, Richard" <[Keigwin.Richard@epa.gov](mailto:Keigwin.Richard@epa.gov)>, "Jakob, Avivah" <[Jakob.Avivah@epa.gov](mailto:Jakob.Avivah@epa.gov)>  
**Subject:** CLA Letters re BEs

I've mentioned this in the weekly report, but I want to send up a "Hot Issue for Decision" Paper on this topic, that can be used – hopefully – to get a decision. Please email to me whenever you have a draft, and I'll review. Thanks.

Wendy Cleland-Hamnett

Acting Assistant Administrator

Principal Deputy Assistant Administrator

Office of Chemical Safety & Pollution Prevention

U.S. Environmental Protection Agency

202-564-2910

cleland-hamnett.wendy@epa.gov